

**REMARKS**

Upon entry of the present amendment, claims 27, 28, 31, 34, 35 and 38 will have been amended. Supports for the amendment may be found at least in paragraphs [0103]-[0116] and [0218]-[0240], and Figs. 8A and 8B, of the U.S. publication of the present application (US 2006/0156360). Thus, claims 27-46 will remain pending for examination.

In view of the herein contained remarks, Applicants respectfully request reconsideration and withdrawal of the outstanding rejection set forth in the above-mentioned Official Action. Such action is now believed to be appropriate and proper and is thus respectfully requested, in due course.

In the outstanding Official Action, claims 27-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zhang et al. (US 2005/0088972) in view of Matsui (US 7,366,241) and Parkvall et al. (US 6,542,736).

Applicants' invention is directed to a method for broadcasting content, a method for receiving content, a transmission apparatus, a reception apparatus and a broadcast system, as recited in each of independent claims 27, 28, 31, 34, 35 and 38. Utilizing the method for broadcasting content, as recited in claim 27 as a non-limiting example of features and aspects of the invention disclosed in the present application, the present application relates to a method for broadcasting content to one or more mobile terminals, including storing content and a plurality of program configuration information, and broadcasting the content and the plurality of program configuration information to the mobile terminals. Each program configuration information includes a screen arrangement of the content. The screen arrangement indicates which of a plurality of media including video, text and still images is to be played as program content and respective display positions of the plurality of media to be played on a screen of the one or more

mobile terminals. In the storing, the plurality of program configuration information are associated with respective transmission bands. One program configuration information is selected at each mobile terminal based on a transmission condition and without broadcasting server involvement. The plurality of program configuration information are configured such that display on the screen at each mobile terminal is performed without broadcasting server involvement and based on the selected program configuration information.

According to the features of the present invention, the reception apparatus (mobile terminal) can select adequate program configuration information from a plurality of program configuration information based on the environment of the reception apparatus, without requesting actions of servers after receiving the plurality of program configuration information, and can perform content display suitable for the reception terminal without requesting action of servers.

The Examiner admitted that Zhang et al. does not disclose that each mobile terminal selects one of the plurality of program configuration information based upon a transmission condition without broadcasting server involvement. However, the Examiner asserted that Matsui discloses this feature.

Matsui discloses that a user of a mobile terminal 201a selects an item setting for performing various kinds of initial settings from among a plurality of items in an initial menu by using button operation section 21 of the mobile terminal 201a (col. 16, lines 30-34, as cited by the Examiner). However, this cited portion of Matsui does not disclose the details of the plurality of items. In other words, it is not clear, based on this disclosure, whether one of the plurality of program configuration information, as defined in the claims, is selected without server involvement, i.e., without requesting the server for any action.

Matsui further discloses that, in the sentences following the cited portion, more specific items (streaming reception setting and anti-error intensity setting) are selected successively. In the anti-error intensity setting selection, when the user specifies video data to be displayed on the screen, a signal requesting SMIL is transmitted from the mobile terminal 201a to server 100a. Then, in response to the request, the server 100a selects data suitable to the user setting, and sends the selected data to the mobile terminal 201a (col. 16, line 23- col. 17, line 3). Thus, Matsui discloses that the server selects the data suitable to the user setting. Contrary to the Examiner's assertion, Matsui does not disclose or suggest selection of program configuration information without server involvement, as specified by Applicants' pending claims. In contrast, Matsui explicitly discloses the server's involvement for the selection of data for transmission from the server to the mobile terminal. Moreover, Matsui does not disclose the program configuration information is used to display content without server involvement, as recited in the pending claims.

The Examiner further admitted that neither Zhang et al. nor Matsui discloses that, the plurality of program configuration information are associated with respective transmission bands, so that each mobile terminal selects one of the plurality of program configuration information based on a transmission condition. However, the Examiner asserted that Parkvall et al. discloses this feature.

Parkvall et al. discloses changing the type of modulation and amount of channel coding applied to the data to be transmitted by the base station (col. 2, lines 24-36). Parkvall et al. further discloses, in Figs. 8, 10 and 11, for example, that a mobile terminal determines the signal quality of pilot signals, from a plurality of sectors and antennas, transmitted from base stations (step 150 of Fig.11), selects a sector and antenna having enough maximum data transmission rate

to maintain the transmission power level (steps 152 and 154), and transmits information about the selected sector and antenna to the corresponding base station (step 160). Upon receiving the information about the selected sector and antenna, the base station sends data based on the received information (Fig. 12). Parkvall also discloses that the base station may change the frequency and transmission rate of uplink from the terminal to the base station (step 160).

Thus, Applicants submit that Parkvall et al. only discloses the change of transmission level or power level, and does not disclose or suggest that the program configuration information (screen arrangement) is selected at each mobile terminal and the display is changed based on the selected screen arrangement, without a server's involvement.

Additionally, the Examiner asserted that Zhang et al. discloses storing a plurality of pieces of program content and a plurality of pieces of program configuration information, each program configuration information includes a screen arrangement of the content, and the screen arrangement indicates which of a plurality of media including video, text and still images is to be played as program content, and indicates the respective display positions of the plurality of media on the screen, as recited in claim 27, for example.

Zhang et al. discloses that mobile node 1 determines transmission condition parameters, such as bandwidth, delay, buffer size, and the like, of the second access network 20, and is in a position to adjust its TCP transmission window size to match the changed conditions ([0040] of Zhang et al., as cited by the Examiner).

In the technical field of TCP, adjusting the TCP transmission window size based on the transmission condition parameters does not mean “changing the screen arrangement,” such as the size of the screen. One of ordinary skill in the art understands that “adjusting a TCP window size” indicates that the receiving side (mobile terminal) sends, to the transmission side, a TCP

transmission window size (i.e., the amount of data that can be received continuously), based on the transmission condition, and the transmission side controls the amount of data to transmit continuously to the receiving side, base on the received TCP window size. TCP transmission window size has a completely different definition from the content screen arrangement according to Applicants' invention as recited. Thus, the disclosure of Zhang et al. does not relate to the "screen arrangement." Accordingly, the Examiner's interpretation of this term, and consequently the interpretation of the reference is submitted to be incorrect.

Further, as noted above, Parkvall et al. also does not disclose or suggest this feature, i.e., program configuration information (screen arrangement).

Accordingly, at least based on the lack of disclosure regarding the above-described and explicitly recited features, in the claimed combination, Applicants submit that none of the cited references, even if combined as set forth in the Official Action, disclose or render obvious the combination of features recited in Applicants' independent claims 27, 28, 31, 34, 35 and 38, and thus, the Examiner's rejection of the claim under 35 U.S.C. §103(a) is improper.

The dependent claims in the present application are respectfully submitted to be patentable over the references relied upon based upon their dependence from shown to be allowable base claims, as well as based upon their own additional recitations.

Applicants note that the status of the present application is after final rejection and that Applicants do not have a right to amend an application once a final rejection has issued. Nevertheless, Applicants respectfully submit that entry of the present amendment is appropriate and proper as it is in full compliance with 37 C.F.R. §1.116. In particular, the present amendment requires only cursory review by the Examiner and thus does not require an additional

search. Additionally, in view of the herein contained remarks, the present amendments clearly place the present application in condition for allowance.

Accordingly, Applicants respectfully request entry of the present amendment, reconsideration and withdrawal of the outstanding objection and rejection, together with an indication of the allowability of the claims pending in the present application, in due course.

### **SUMMARY AND CONCLUSION**

Applicants have made a sincere effort to place the present application into condition for allowance and believe that they have now done so. Applicants have amended the claims to clarify the feature of the invention and to emphasize distinctions between the present invention and the disclosures of the references relied upon by the Examiner.

Applicants have discussed the disclosure of each reference and pointed out the shortcomings thereof. Further, Applicants have, with respect to the explicit recitations of the pending claims, pointed out clear deficiencies in the disclosure of the references applied thereagainst. Accordingly, Applicants have provided a clear and convincing evidentiary basis supporting the patentability of all of the claims in the present application and respectfully request an indication to such effect in due course.

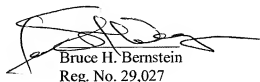
Applicants have additionally provided a basis for entry of the present amendment, although the status of present application is subject to final rejection.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should an extension of time be necessary to maintain the pendency of this application, including any extensions of time required to place the application in condition for allowance by an Examiner's Amendment, the Commissioner is hereby authorized to charge any additional fee to Deposit Account No. 19-0089.

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,  
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